

Health Information Compliance Alert

Health Information News

EPA Chief to Lead HHS

In a move not anticipated by industry watchdogs, President **Bush** nominated Environmental Protection Agency Administrator **Michael Leavitt** Dec. 13 to become the next secretary of the Department of Health and Human Services, the New York Times reported.

Leavitt earned a reputation making balanced decisions during his one-year tenure at the EPA. "I'm persuaded that we can use technology and innovation to meet our most noble aspirations and not compromise our other values that we hold so dear," he said.

While many expected Centers for Medicare & Medicaid Services Administrator Dr. **Mark McClellan** to receive the nomination, White House officials said Bush wanted to keep McClellan in position to usher in 2006's prescription drug benefit.

The Bottom Line: Several medical groups, including the American Medical Association and Centers for Disease Control and Prevention, praised Leavitt's appointment.

Don't Send PHI With Your Patient Survey

It's very convenient to conduct customer satisfaction surveys online - at least until your patients' PHI is revealed. That's the message UC-Davis Medical Center is sending after a glitch in its subcontracted survey allowed respondents to see other patients' private information, the Sacramento Bee reported.

The survey was sent to patients who schedule appointments, refill prescriptions and contact doctors via the Internet. It asked for patients' zip codes, e-mail addresses, ages and genders, along with information about any prescriptions and medical conditions.

"This was an honest mistake. We take privacy very seriously, and we treated this in a serious way from the moment we discovered the security breach," **Giovanni Colella**, RelayHealth's president and CEO told the Bee.

UC-Davis contracted the survey service to RelayHealth, an Emeryville company used by numerous doctors to communicate with patients. Relay Health then hired a subcontractor to post the questions at Zoomerang.com.

Though the mistake was caught, about 600 patients completed the survey before a correction was made. In the aftermath, RelayHealth severed its connection with the unnamed subcontractor and UC-Davis e-mailed its patients to explain what happened and apologize.

The Bottom Line: Don't wait for your patients to complain about inadvertent disclosures of their PHI - test your online surveys today for security loopholes.